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ECONOMIC DEVELOPMENT & TOURISM**
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December 4, 2025

The Honorable Ronald D. Kouchi
President and Members
of the Senate
Thirty-Third State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Nadine K. Nakamura
Speaker and Members of the
House of Representatives
Thirty-Third State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Nakamura, and Members of the Legislature:

For your information and consideration, I am transmitting a copy of the Office of Planning and Sustainable Development's 2025 Environmental Advisory Council Annual Report, as required by Act 24, Session Laws of Hawai'i 2023.

In accordance with Section 93-16, Hawai'i Revised Statutes, I am also informing you that the report may be viewed electronically at:

<http://dbedt.hawaii.gov/overview/annual-reports-reports-to-the-legislature/>.

Sincerely,

James Kunane Tokioka
DBEDT Director

Enclosure

c Legislative Reference Bureau

2025 ENVIRONMENTAL ADVISORY COUNCIL ANNUAL REPORT



Image Courtesy of Michele Lefebvre.

A report to the Legislature pursuant to Act 24, Session Laws of Hawai'i 2023.

December 2025

Background

The Environmental Advisory Council (EAC) is established by Hawai'i Revised Statutes (HRS)§ 341-5.5 and may include up to fifteen volunteer members appointed by the Governor from across the islands. This year, there were four volunteer members. The functions of the EAC are to serve as a liaison between the Office of Planning and Sustainable Development (OPSD) Director and the general public by soliciting information, opinions, and complaints and making recommendations concerning ecology and environmental quality. The EAC also serves the people of Hawai'i as a bridge of knowledge between the community and the State government regarding the environmental review process. Through its monthly meetings, the EAC monitors the progress of state, county, and federal agencies in achieving the State's environmental goals and policies and offers informational sessions for the community on key environmental issues. The EAC also: (1) consults on and helps to amend the environmental impact statement rules, Hawai'i Administrative Rules (HAR) Title 11, Chapter 200.1 (the EIS Rules), (2) reviews and concurs with agency exemption lists and provides assistance and guidance to agencies regarding their exemption lists, and (3) monitors and testifies on legislation relevant to the EAC and its statutory objectives and priorities.

The Environmental Advisory Council (EAC) is established by HRS§ 341-5.5. The functions of the EAC are to serve as a liaison between the Office of Planning and Sustainable Development (OPSD) Director and the general public concerning ecology and environmental quality. The EAC is also tasked with monitoring the progress of the State, county, and federal agencies in achieving the State's environmental goals and policies.

In 2021, with the passage of Act 152, the EAC's roles changed (with amendments to HRS Chapters 341 and 343). The EAC was administratively transferred from the Department of Health and the Office of Environmental Quality Control to OPSD. In 2022, the EAC explored amending its procedural rules under HAR Title 11, Chapter 201, to delete those responsibilities no longer held by the EAC after the passage of Act 152. Amendments are pending.

The EAC November 2024 meeting marked a transition year, with nine members reaching their term limits. Recruitment to fill the remaining open seats has been ongoing to ensure that EAC membership remains diverse and that the group has the capacity to tackle its mission. The EAC prides itself on a diverse membership with individuals from communities across the islands bringing broad expertise.

The EAC has six standing committees: Legislative, Strategic Planning, Information and Outreach, Exemptions, Rules, and Annual Report. Each committee operates under its policies and procedures with defined priorities.

With four seated members, it is anticipated that the EAC will focus on the Legislative, Information and Outreach, Exemptions, and Annual Report Committees.

A summary of 2025 committee activity follows:

Legislative Committee

The EAC Chair and the Legislative Committee Chair did not meet in 2025 to continue the annual tradition of meeting with Representative Lowen, Chair of the State House Committee on Energy and Environmental Protection, and Senator Mike Gabbard, Chair of the State Senate Agriculture and Environment.

When the Hawai'i Legislature goes into session in 2026, the EAC Chair and the Legislative Committee Chair will meet with them to learn more about their environmental priorities for the 2026 session and share an annual update on the EAC.

The EAC notes it is imperative that the Governor and the Legislature add additional EAC volunteer members who reside statewide to represent the general public concerning ecology and environmental quality, as well as the progress of the State, county, and federal agencies in achieving the State's environmental goals and policies.

No comments were submitted in 2025, not necessarily because there was no list of bills that needed the EAC's attention, but because there was one volunteer member to review multiple bills, submit written testimony, and/or testify at the appropriate committee hearing.

Strategic Planning Committee

The Strategic Planning Committee (SPC) began as a result of several surveys and the transfer of the EAC from the Department of Health to the OPSD.

Due to several long-serving EAC members reaching their term limits in 2024, the Strategic Planning Committee was unable to meet in 2024 and 2025.

We anticipate that there will be a need to revisit strategic planning for the Council with the future addition of volunteer members.

Information & Outreach Committee

Information and Outreach Committee (I & O) leads and organizes public forums and presentations relevant to the EAC's mandates in Hawai'i Revised Statutes, Section 341-6.

The I & O Committee takes the lead on communications with members of the public, agencies, and stakeholders.

The I & O Committee planned a forum for the General Public and working professionals in the environmental field on Thursday, August 28, 2025, titled "HRS Chapter 343 Exemptions Forum." The forum took place during the 2025 Hawai'i Congress of Planning Officials Conference (HCPO) Resilient by Design Planning for Hawai'i's Tomorrow. The session discussed the decision-making process for exemptions, the legal basis for exemptions, how agencies prepare exemption lists, and how individual exemptions are prepared and published.

However, due to the lack of EAC membership, there are no more educational forums and presentations for 2025.

It is hoped that the I & O Committee forums and presentations will continue to educate the general public in the future. The I & O Committee is always looking for topics from the general public related to Hawai'i's ecology and environmental quality.

Exemptions Committee

The EAC encourages State and county agencies to update their existing Exemption Lists and/or to create new Exemption Lists to conform to amendments in HAR Title 11, Chapter 200.1. Exempting minor projects is the base of the pyramid for decisions made in the HRS Chapter 343 process. Creating an Exemption List provides agencies with the opportunity to determine whether projects have minimal environmental impacts or require a more detailed review through an environmental assessment or environmental impact statement. The Exemptions Committee assists agencies in understanding the administrative rules related to exemptions and reviews agencies' exemption lists to optimize the exemption process. In 2025, the Exemption Committee assisted in the review of exemption lists for the State of Hawai'i, Department of Education, Agribusiness Development Corporation, and the Department of Land and Natural Resources.

Rules Committee

In 2023, the Rules Committee led the effort to transition the EAC's procedural rules to internal policies and procedures, which the EAC formally adopted at its regular meeting on May 7, 2024. With the policies and procedures in place, the Rules Committee also explored the process to repeal the EAC's procedural rules in HAR Title 11, Chapter 201. A repeal of the existing rules would reflect the EAC's new role as an advisory council following the enactment of Act 152 (2021) and remove provisions that are no longer applicable to the EAC, while preserving those that are.

Throughout the year, the EAC and the Rules Committee continue to monitor suggestions from EAC members and the public regarding potential amendments that may be required to the Environmental Impact Statement Rules, HAR Title 11, Chapter 200.1 (the EIS Rules).

The EAC met on November 13, 2025, to discuss EAC Agenda Item 4, the Repeal of Chapter 11-200.1 and Adoption of Chapter 15-20 [11-200.1] Hawai'i Administrative Rules (HAR).

Annual Report Committee

The Annual Report Committee guides and develops the EAC's annual report to be consistent with the EAC's mandates in HRS§ 341-6.